

**OCT 29 2003**

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

**CATHY A. CATTERSON**  
**U.S. COURT OF APPEALS**

In re: DOUGLAS E. MILLER,

No. 02-35248

D.C. No. CV-01-00119-DWM

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MEMORANDUM\*

BONNIE G. SNAVELY,

Defendant - Appellant,

v.

DOUGLAS MILLER,

Debtor - Appellee.

Appeal from the United States District Court  
for the District of Montana  
Donald W. Molloy, District Judge, Presiding

Argued and Submitted October 10, 2003  
Seattle, Washington

Before: TROTT, FISHER, and GOULD, Circuit Judges.

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\* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.

Bonnie Snavelly appeals, via the District Court, two orders of the Bankruptcy Court. The first order declared a state judgment null and void and awarded sanctions for Snavelly's violation of the automatic stay. The second order denied Snavelly's motion to modify the automatic stay and granted in part her alternative motion to annul the stay.

“Basic principles of mootness preclude our claiming jurisdiction when failure to obtain a stay pending appeal ‘has permitted such a comprehensive change in circumstances as to render it inequitable for this court to consider the merits of the appeal.’” Algeran, Inc. v. Advance Ross Corp., 759 F.2d 1421, 1423 (9th Cir. 1985) (quoting In re Roberts Farms, Inc., 652 F.2d 793, 798 (9th Cir. 1981)).

In this appeal, subsequent events “make it impossible for us to fashion a remedy that would restore the interested parties to their former position.” Id. Snavelly did not obtain stays of these or later orders pending appeal. Subsequent events in Miller's ongoing bankruptcy, including the sale of the property concerned to third parties by both Snavelly and Miller, have rendered this appeal moot.

**APPEAL DISMISSED**